

Article - Environment

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§9–518.

- (a) (1) In this section the following words have the meanings indicated.
 - (2) “Commission” means the Washington Suburban Sanitary Commission.
 - (3) “Health officer” means the health officer for Prince George’s County.
 - (4) “Issuing authority” means any one of the following authorities that is authorized to issue or approve a permit:
 - (i) The Department;
 - (ii) The health officer;
 - (iii) The Montgomery County department designated by the Montgomery County government; or
 - (iv) The Prince George’s County Health Department.
 - (5) “Permit” means a permit issued or approved by the issuing authority for Montgomery County or Prince George’s County to install, connect to, or use an individual septic system.
 - (b) This section applies only in Montgomery County and Prince George’s County.
 - (c) In each county, a person shall have a permit from an issuing authority before the person may install, connect to, or use an individual septic system.
 - (d) An applicant for a permit shall submit an application to the issuing authority on the form that the issuing authority requires.
 - (e) (1) The health officer and the Montgomery County department designated by the Montgomery County government shall:
 - (i) Submit each application for a permit to the Commission;
- and

(ii) Notify the Commission if there is more than one application for a permit in an area or subdivision of each county when:

1. The original permit application is submitted to the Commission; or
2. This fact reasonably becomes known to the health officer.

(2) This subsection does not apply to an area of each county in which a community sewerage system is not planned within 10 years under the county's comprehensive plan for sewerage systems.

(f) (1) Within 30 days after the Commission receives an application under subsection (e)(1) of this section, the Commission shall review the application and comment to the health officer, in writing, on the application.

(2) If there is more than one application for a permit in an area or subdivision of each county, the Commission may group these applications together for purposes of review and comment.

(3) In its review and comments under this subsection, the Commission shall include:

- (i) A determination of the location of the nearest collection line of a community sewerage system;
- (ii) The capacity, feasibility, cost, and engineering conditions or requirements for an extension of this collection line; and
- (iii) If available, an estimate of the time required for this extension.

(g) (1) The issuing authority shall issue a permit to any applicant who meets the requirements of this subtitle.

(2) If the Commission does not respond as required by subsection (f) of this section, and if the permit otherwise complies with this section, the local health officer may issue the permit.

(h) (1) The issuing authority shall include on each permit that the issuing authority issues a requirement that the holder of a permit shall notify, in writing, any buyer or lessee of the permitted property:

(i) That the permitted property is served by an individual septic system;

(ii) Of the conditions, estimate of time, and other factors that concern the subsequent extension of a community sewerage system to the permitted property; and

(iii) If applicable, that the Commission did not review and comment on the application for a permit because the permitted property was in an area of the county in which at the time of the application a community sewerage system was not planned within 10 years under the county's comprehensive plan for sewerage systems.

(2) The health officer and the Montgomery County department designated by the Montgomery County government:

(i) Shall adopt rules and regulations to carry out the provisions of this subsection; and

(ii) May require the holder of a permit to record the information required by paragraph (1) of this subsection in the land records of the county in which the permitted property is located.

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